

**IN THE UNITED STATES DISTRICT COURT FOR  
THE NORTHERN DISTRICT OF OKLAHOMA**

<b>STATE OF OKLAHOMA,</b>	)	
	)	
<b>Plaintiff,</b>	)	
	)	
<b>v.</b>	)	<b>No. 05-CV-329-GKF-SAJ</b>
	)	
<b>TYSON FOODS, INC., et al.,</b>	)	
	)	
<b>Defendants.</b>	)	

**STATE OF OKLAHOMA'S MOTION FOR EXTENSION OF TIME  
TO COMPLY WITH THE COURT'S ORDER TO PRODUCE DOCUMENTS AND  
REVISE THE STATE'S PRIVILEGE LOGS [DKT. #1463]**

Comes now the Plaintiff, the State of Oklahoma, ex rel. W.A. Drew Edmondson, in his capacity as Attorney General of the State of Oklahoma, and Oklahoma Secretary of the Environment, C. Miles Tolbert, in his capacity as the Trustee for Natural Resources for the State of Oklahoma under CERCLA, ("the State"), and respectfully moves pursuant to this Court's L. Cv. R. 7.2(g) for an extension of time from and after March 7, 2008 until April 4, 2008, within which to produce documents and revise its privilege logs pursuant to the Court's order. [DKT #1463]. In support of this Motion, the State shows the Court as follows:

1. In its Order [DKT # 1463] the Court ordered the State to produce certain documents for which it claimed either attorney client privilege or work product protection, and to revise its privilege logs according to standards set forth in that Order. The State subsequently moved for reconsideration and for a stay of that Order [DKT # 1486 and 1487]. The Court granted the stay in part and denied it in part, postponing document production and privilege log revision to March 7, 2008, in part contemplating the State's preliminary injunction hearing would be concluded by that date and that it would be able to rule on the merits of the State's motion for reconsideration

by that date. The March 7, 2008 deadline, although itself an extension of the original due date based upon the State's stay motion, has not been previously extended.

2. Proceedings on the preliminary injunction motion have prevented the State's counsel from preparing the subject documents for release, and from revising the privilege logs as required by the Order.

3. Additionally, due to the illness of Judge Frizzell, the preliminary injunction hearing will continue at least through March 7, 2008, and possibly until Monday, March 10, 2008, further requiring the State's counsel to attend to matters pertaining to the preliminary injunction hearing.

4. Without receding from the arguments made in its Motion for Reconsideration [DKT # 1486] and its Motion for Stay [DKT # 1487], and in order that these matters be handled in an orderly fashion, the State respectfully asks for an extension of time until April 4, 2008 within which to comply with the Order, in the event that Order is not otherwise modified by the Court or upon appeal.

5. Counsel for Defendants have been consulted and object to this motion.

6. Granting this request will have no impact on the scheduled trial or other deadlines in this case.

WHEREFORE, for the foregoing reasons, the State respectfully moves for an extension of time from March 7, 2008 until April 4, 2008 within which to produce the documents and revised privilege logs as required by the Order, unless said Order is otherwise modified by the Court or upon appeal.

Respectfully Submitted,

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**CERTIFICATE OF SERVICE**

I hereby certify that on this 7<sup>th</sup> day of March, 2008, I electronically transmitted the above and foregoing pleading to the Clerk of the Court using the ECF System for filing and a transmittal of a Notice of Electronic Filing to the following ECF registrants:

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